

1 Lynn H. Pasahow (CSB No. 054283)
 (lpasahow@fenwick.com)
 2 Michael J. Shuster (CSB No. 191611)
 (mshuster@fenwick.com)
 3 Heather N. Mewes (CSB No. 203690)
 (hmewes@fenwick.com)
 4 Carolyn Chang (CSB No. 217933)
 (cchang@fenwick.com)
 5 C. J. Alice Chuang (CSB No. 228556)
 (achuang@fenwick.com)
 6 FENWICK & WEST LLP
 Silicon Valley Center
 7 801 California Street
 Mountain View, CA 94041
 8 Telephone: 650.988.8500
 Facsimile: 650.938.5200
 9

10 Attorneys for Plaintiffs/Counterclaim-
 Defendants
 11 THE REGENTS OF THE UNIVERSITY OF
 CALIFORNIA, ABBOTT MOLECULAR
 12 INC., and ABBOTT LABORATORIES INC.
 13
 14

Thomas H. Jenkins (Admitted Pro Hac Vice)
 (tom.jenkins@finnegan.com)
 Anthony C. Tridico (Admitted Pro Hac Vice)
 (anthony.tridico@finnegan.com)
 FINNEGAN, HENDERSON, FARABOW,
 GARRETT & DUNNER, L.L.P.
 901 New York Avenue
 Washington, D.C. 20001-4413
 Telephone: 202.408.4000
 Facsimile: 202.408.4400

Tina E. Hulse (CA Bar No. 232936)
 (tina.hulse@finnegan.com)
 Wesley B. Derrick (CA Bar No. 244944)
 (wesley.derrick@finnegan.com)
 FINNEGAN, HENDERSON, FARABOW,
 GARRETT & DUNNER, L.L.P.
 Stanford Research Park
 3300 Hillview Avenue
 Palo Alto, California 94304
 Telephone: 650.849.6600
 Facsimile: 650.849.6666

Attorneys for Defendants/Counterclaim-
 Plaintiffs
 DAKO NORTH AMERICA, INC. and DAKO
 DENMARK A/S

16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA
 18 SAN FRANCISCO DIVISION

19 THE REGENTS OF THE UNIVERSITY
 OF CALIFORNIA, ABBOTT
 20 MOLECULAR INC., and ABBOTT
 LABORATORIES INC.,
 21

Plaintiffs,

22 v.
 23 DAKO NORTH AMERICA, INC., and
 24 DAKO DENMARK A/S,
 25

Defendants.

Case No. C 05-03955 MHP

**STIPULATION AND [PROPOSED]
 ORDER RE: FILING OF PLAINTIFFS'
 SECOND AMENDED COMPLAINT AND
 DEFENDANTS' SECOND AMENDED
 ANSWER, DEFENSES, AND
 COUNTERCLAIMS**

26 AND RELATED COUNTERCLAIMS.

1 Plaintiffs The Regents of the University of California, Abbott Molecular Inc. and Abbott
2 Laboratories Inc., and Defendants Dako North America, Inc. and Dako Denmark A/S, by and
3 through their respective counsel, stipulate as follows:

4 WHEREAS the parties agreed in their June 20, 2008 Further Joint Case Management
5 Statement (Docket No. 197) to a July 30, 2008 deadline to amend pleadings;

6 WHEREAS the parties have agreed to their respective amended pleadings, including the
7 substitution of Defendant/Counterclaim-Plaintiff Dako A/S with Dako Denmark A/S;

8 THEREFORE, the parties hereby stipulate and agree as follows:

- 9 1. Plaintiffs The Regents of the University of California, Abbott Molecular Inc. and
10 Abbott Laboratories Inc. shall have leave to file a Second Amended Complaint, a copy
11 of which is attached hereto as Exhibit A.
- 12 2. Defendants Dako North America, Inc. and Dako Denmark A/S shall have leave to file
13 an Answer, Defenses and Counterclaims to Plaintiffs' Second Amended Complaint, a
14 copy of which is attached hereto as Exhibit B.

15 Dated: July 30, 2008

FENWICK & WEST LLP

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17 By: s/LYNN H. PASAHOW
Lynn H. Pasahow

18 Attorneys for Plaintiffs/Counterdefendants

19 THE REGENTS OF THE UNIVERSITY OF
20 CALIFORNIA, ABBOTT MOLECULAR
INC., and ABBOTT LABORATORIES INC.

21 Dated: July 30, 2008

22 FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER L.L.P.

23 By: s/TINA E. HULSE
Tina E. Hulse

24 Attorneys for Defendants/Counterclaimants

25 DAKO NORTH AMERICA, INC. and DAKO
26 DENMARK A/S

